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ABSTRACT

This report describes the development of social responsibility in schools through law-related education (LRE). LRE through which students become better informed and effective citizens provides an understanding of the law and its effects on daily life. The Office of Education (1978) defines LRE as those organized learning experiences that provide students and educators with opportunities to develop the knowledge and understanding, skills, attitudes, and appreciations necessary to respond effectively to the law and legal issues in the present complex and changing society. Social responsibility can be viewed as an essential part of citizenship education, an understanding of the basic democratic principles and values on which laws, government, and society are based. LRE was established to revitalize citizenship education. Three major aspects of LRE include: expanding students' substantive knowledge and critical thinking skills; improving teacher preparation; and achieving significant changes in students' attitudes. It is suggested that through the implementation of LRE programs, students' competencies, knowledge, skills, and attitudes can lead to the appropriate learning outcomes necessary for their development into socially responsible citizens in a multicultural, global society. (LL)

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Developing Social Responsibility Through Law-Related Education

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ABSTRACT

This paper will explore the need for developing social responsibility and how social responsibility can be developed in schools through law-related education (LRE).

Developing social responsibility is one of the greatest challenges facing educators and leaders in today's world. The breakdown of social responsibility around the world is having dramatic effects on institutions and individuals. Schools represent a major socializing influence for young people. All students need to be equipped with the knowledge, attitudes and skills to contribute to and participate in society.

Problems are widespread in American society. They permeate the nation's institutions and will require tremendous effort to solve. Young people must be taught to care about other people and to make a personal investment in social and civic action in order to create a more humane and just society and world. Pine and Hilliard (1990) state that "a major goal of socialization should be to promote civic virtue and those qualities that enable children to become productive and dependable citizens in a just society" (p. 599).

Schools can no longer do business as usual. Students must develop effective citizenship for our present day multicultural society and world, and that of the twenty-first century.

The expectations and requirements for effective citizenship in the next century include: the ability to think and use reasoning skills at higher levels; the ability to empathize and understand others, especially those groups who present differing perspectives and points of view from their own; the ability to compare, contrast, weigh evidence and make reflective decisions when presented with diverse and conflicting perspectives; and the ability to think critically about data and information.

The complexities, contradictions and challenges of life facing students today and in the future will test schools and students to their limits. This will entail a realistic vision for an all-encompassing, just world, where all peoples can not only survive, but thrive.

Social responsibility is the foundation of this new civilization--it is the means for both individual and collective advancement. Human development and progress are based upon social responsibility. Schooling must play its part in developing social responsibility. All other education is related to and depends on this foundation. If a child is well trained in knowledge but lacks social responsibility, that knowledge will prove harmful, not only to the person, but also to society.

Crime, suicide, substance abuse, illegitimate births, and other social problems have increased dramatically over the past few decades. A response to these problems has been an urging for schools to teach more traditional values and social responsibility. Schools, as major institutions for the transmission of culture, are also major transmitters and facilitators of social responsibility. Schools must take this responsibility seriously and prepare our students to be

morally capable and responsible adults. They must enable our students to deal with the multitude of problems facing them and our society. To effectively deal with these problems, one must have a moral framework and a strong character. Teachers need to be able to engage students in discussions on morality and character. They need to help students think through moral concepts, such as honesty and justice, and to apply these concepts to their individual and collective lives. By helping students approach and reflect on current problems, teachers will enable students to develop their own characters and moral frameworks.

Lessons in responsibility and character development are to be found throughout the school curriculum and the school day. Students can be exposed to the heros and heroines of our history and literature so they may be made aware of and inspired by the qualities that enabled these men and women to be great. Exposure to the bad in our society can help students understand how people can make poor decisions and how they can change to do the right thing. Students need to be encouraged to acquire the virtues and to weed out weaknesses. Schools should not only promote academic, athletic, and artistic excellence, but also moral and social excellence.

Students should be of service to themselves, their fellow students, their teachers, their school, their community, their country, and their world. Learning in schools should be followed by social action, which allows students to put into practice that which they have learned. Schools must move away from competitivism and individualism toward cooperation and community. Changes will need to be made by schools to engender social responsibility. Social responsibility should be carried out in a social context involving the development of volition and will through practical application of social principles.

First, we need to agree upon what should be taught. The values of the Constitution and our laws could form a foundation for teaching social responsibility in the United States. Such values are sovereignty of the people, individual human rights, rule of law and the respect for authority.

Sovereignty of the people implies that citizens have the right and power to challenge the existing government. In other words, they can establish, control, change or abolish the government. Given the conditions of poverty and the lack of adequate education, many have become alienated from the political system. Consequently, these conditions prevent them from participating fully in the way they are governed.

The value of individual rights addresses the need for all people in a democratic system to develop a consciousness about those rights to which they can lay personal claim. Hertog (1988) calls this a constitutional rights consciousness and explains

> that consciousness is an intense persuasion that we have rights - that when we are wronged there must be remedies, that patterns of illegitimate authority can be challenged, that public power must contain institutional mechanisms capable of undoing injustice. (p. 354)

Another set of values is the rule of law and the respect for authority. The expression of human rights and the legitimate exercise of power occurs only when an appropriate context is created. This context can be created by law and authority established by the people that functions to protect individual human rights.

Conflicting ideologies arise and people attempt to seek different solutions to the same problems. Once consensus has been reached, that agreement becomes a value. A value is not necessarily static or permanent and is not accepted by all people in a society. Ideological realignments may occur, questioning existing values. This may lead to tension and conflicts. Ultimately, new consensus is reached establishing new and different values.

The aforementioned values combined with those arrived at through consensus are values that are currently valid in the United States. They include justice, freedom, equality, diversity, authority, privacy, due process, participation, personal obligation for the public good, international human rights, equal rights, social and economic justice, rule of law, civility, truth, tolerance, mutual assistance, personal and civic responsibility, self-restraint and self-respect (cited in Kaltsounis, 1990, p. 291-92). Although these values represent the basic ideals and strengths of our society, it is important to realize that in reality they are not practiced and applied equitably throughout society.

Literature, philosophy, history, and religion also offer a great wellspring of values, morals, and character models that could be drawn upon to develop a curriculum. For example, Plato and Aristotle indicated four virtues that seem to transcend culture and time, and that might be part of a social responsibility curriculum: justice, temperance, courage, and wisdom.

Socialization and character education are viewed with suspicion--as indoctrination and an infringement on individual rights. Aristotle indicated that morals and virtue were habits and dispositions that had to be ingrained in young people through training and repetition so that they would be disposed towards these virtues in their later years. Aristotle's answer to how we know virtue was to consult wise men and to have statesmen decide on these questions. He also indicated that a virtue should lead toward happiness.

Teacher training institutions must prepare their students to teach and serve as models of social responsibility. They must also select students with high moral standards and who are able to model and teach the sense of social responsibility we wish to engender in our children.

Pending legislation in Michigan would require for teacher certification a philosophy course to include at least all of the following ethical principles and the accompanying characteristics associated with ethical behavior:

(A) honesty: to be truthful, sincere, forthright, straightforward, frank, and candid; to not cheat, steal, lie, deceive, or act deviously.

(B) integrity: to be principled, honorable, and upright; to not be two-faced or unscrupulous.

(C) promise-keeping: to be worthy of trust, keep promises, fulfill commitments, and abide by the spirit as well as the letter of an

agreement.

(D) loyalty: to be faithful and loyal to family, friends, employers, clients, and country.

(E) fairness: to be fair and open-minded, willing to admit error, and, if appropriate, change positions and beliefs; to demonstrate a commitment to justice and the equal treatment of individuals.

(F) caring for others: to be caring, kind, and compassionate; to share; to be giving and of service to others; to help those in need and avoid harming others.

(G) respect for others: to demonstrate respect for others people's property, human dignity, and privacy; to be courteous, prompt, and decent; to not patronize, embarrass, or demean.

(H) responsible citizenship: to obey the laws and, if a law is unjust, openly protest it; to exercise all democratic rights and privileges responsibly by participation through voting and expressing informed views, social consciousness, and public service; when in a position of leadership or authority, to openly respect and honor democratic processes of decision making, avoid unnecessary secrecy or concealment of information, and assure that others have all the information they need to make intelligent choices and exercise their rights.

(I) pursuit of excellence: to pursue excellence in all matters and in meeting personal and professional responsibilities; to be diligent, reliable, industrious, and committed; to perform all tasks to the best of one's ability, develop and maintain a high degree of competence, and be well informed and well prepared; to not be content with mediocrity; to not strive to "win at any cost".

(J) accountability: to be accountable and accept responsibility for decisions, for the foreseeable consequences of actions and inactions,. And for setting an example for others. To avoid even the appearance of impropriety and to take necessary action to correct or prevent inappropriate conduct of others. (Michigan Senate Bill No. 661, December 17, 1991, p. 5-7)

These values, though not the necessarily the best, are an attempt to require the development of social responsibility in our schools. It expects students to use knowledge and abilities toward individual development and in service to the development of all society. These values and capacities can only be realized by actualizing them through action. Knowing, loving, and behaving are the components of social responsibility. These could be an organizing principle or theme of teacher education programs and schools.

This concern about the ethical aspects of teaching is voiced by leading educators. Tom (1984) characterizes teaching as a moral craft in which the role of the teacher is to create a just and caring environment. Goodlad (1990) and his associates (1990) also perceive education and teacher education as a moral endeavor.

If teachers are to develop social responsibility, they must be socially responsible. The National Board of Professional Teaching Standards also addresses the need to foster students' self-esteem, motivation, character, civic responsibility, and respect for individual differences. Board certified teachers are to be able to help students develop critical and analytical capacities, deal with their preconceptions and solve their own problems. They can ensure a disciplined learning environment, set norms for social interaction, motivate students, and help students to achieve their goals. Board certified teachers are to be models of education, exemplifying the virtues they seek to inspire in their students. These virtues include curiosity, tolerance, honest, fairness, respect for diversity and appreciation of cultural differences (1987).

Ideally, working through the educational milieu should lead to a socially responsible citizenry. According to Massialas (1990), "disengagement and noninvolvement, rather than concern and active participation become the modus operandi of our youth" (p. 203). These circumstances present a major challenge to education, and more specifically to citizenship education today.

LAW-RELATED EDUCATION

Law-related education (LRE) is one means by which young people become better informed and effective citizens. It provides them with an understanding of law and how it affects their daily lives. The Office of Education (1978) defines LRE as

> those organized learning experiences that provide students and educators with opportunities to develop the knowledge and understanding, skills, attitudes, and appreciations necessary to respond effectively to the law and legal issues in our complex and changing society. (p. 36-37)

Schooling in our society has been broadly conceived as developing citizenship. The need for citizenship training is evermore apparent. Social responsibility can be seen as an essential part of citizenship education. The families and schools are currently retreating from the responsibility of teaching students citizenship, morals, and values, leaving a vacuum in our society. Preparation for citizenship has been regarded the primary purpose of social studies education since 1916. Citizenship education in the social studies has aimed at nurturing awareness and understanding of the basic democratic principles and values on which our laws, government and society are based.

The track record for citizenship education has not been impressive. Although there have been many calls to revitalize citizenship education, studies show that traditional citizenship education has failed our youth dismally in attempting to develop them into knowledgeable, active citizens. Traditional instruction has generally utilized the text/lecture teaching method. The content has been ladened with abstract concepts and broad generalizations, which appear empty and far removed from real life situations. Consequently, many graduates and nongraduates are quasi-illiterate or functionally illiterate about the basic principles and values on which our political system and society are based.

Law-related education was established to revitalize citizenship education. Ferlong and Arbetman (1980) discuss the kind of curriculum required in order for revitalization to occur:

> We need a curriculum that fosters social responsibility, personal obligation for the public good, and effective participation in the social order. The curriculum must help students understand the laws that determine the nature of the social order and must systematically engage them in the process of clarifying their own views as to what is adequate and what is inadequate in existing law. (p. 41)

Law-related education has grown and matured since the mid-1960's, which has led to important new dimensions for its role in the classroom. According to a 1985 survey of state social studies curriculum specialists and supervisors by Hahn, LRE has been added to the social studies curriculum in more than half of the forty-six states responding since 1975.

Three major aspects of LRE include expanding students' substantive knowledge and critical thinking skills, improving teacher preparation, and achieving significant changes in students' attitudes. To a large extent, these reflect the nature and expectations of the educational reform movement. Consequently, LRE has successfully fit into the mainstream of educational reform.

Several characteristics distinguish LRE from traditional citizenship educational programs. These include the methods of instruction, skills development, knowledge acquired and the development of high interest, motivation and relevancy levels by students. The teaching methods used in LRE include case studies, group learning activities, inquiry, outside resource persons, and mock trials. These help students to learn about the law. In a sense, it becomes demystified for them. They become better prepared to relate to and understand law, as well as deal more effectively and responsibly with law as it permeates their daily lives.

Students also develop an appreciation for the complexities of social conflict and legal decision making. By examining concepts of justice, authority, and responsibility, students are led to adopt fair procedures for conflict resolution as opposed to resorting to violence and anti-social behavior. Studies have shown that teaching what constitutes illegal behavior and what the consequences of that behavior are can lead to building positive peer relationships and a reduction in delinquent behavior. The combination of methods and content lead to higher levels of interest and relevancy for students of every educational background. This in turn, serves as a catalyst for student motivation and increased academic discipline. Law-related education also helps students to cultivate skills important to their academic development, which leads to their active participation in the learning process. These skills include critical thinking, decision making, valuing and problem solving. Freund states the active quality of LRE encourages critical thinking and rationality in students. The law is not too difficult or too

easy. Students become more engaged in their education, more active in the classroom and more appreciative of schooling because LRE combines relevance with intellectual challenge (cited in Van Camp & White, 1982).

Research studies have focused on the impact LRE has on students, their attitudes toward authority, and their involvement in delinquent behavior. According to the Michigan Law-Related Education Project's summary of research findings, students

> were able to discuss the meaning of authority; become more knowledgeable about the facilitative qualities of the legal system providing protection, social guidelines, order and harmony; and held authority figures accountable for certain standards of responsible conduct. (MLREP, 1988)

With regard to delinquent behavior, students were found:

> to be less likely to resort to violent solutions to problems; to be less dependent on maintaining relationships with others engaged in delinquent behaviors; to commit fewer thefts, acts of violence and failures to honor debts; to be less likely to repeat an offense after enrollment in a LRE program; to have a better understanding at the elementary school level of the reasons for classroom rules; to be more cooperative at the elementary school level with those in authority; to be better able to make responsible choices about personal action; and showed an overall improvement in behavior. (MLREP, 1988)

Former Chief Justice Warren E. Burger, in his 1981 year-end report to the judiciary, expressed his concern for finding ways of not only reducing criminality and criminal dockets, but also the damage done to human lives by illegal acts. His reference to LRE was encouraging, in that he cited study results which indicated that delinquency was cut significantly when LRE courses are properly taught in school. Justice Burger identified the vital features of LRE include student involvement in activities, such as case studies and mock trials, and active involvement of police officers, lawyers, judges, and others (cited in Van Camp & White, 1982).

Hersch conducted research on the effect the Cambridge Massachusetts District Court LRE program had on participating eighth grade students. She found that participatory programs involving judges and other court personnel positively influenced student attitudes toward the criminal justice system as they become adolescents. She also points out that although attitudes do not predict behavior, positive attitudes may help students develop into more responsible citizens (cited in Van Camp & White, 1982). An impact study to assess and evaluate the effectiveness of LRE in terms of its impact on students who participated in six different states found a decrease in students' acceptance of the use of violence to solve problems, and a decrease in their dependence on maintaining relationships with others who engaged in delinquent behavior

(Hunter, 1987).

The relationship between the amount of LRE knowledge gained and improvement in attitudes and behavior were also evaluated. The findings indicate the relationship to be negligible or nonexistent. Students's factual knowledge of the law is important, in that it represents the basic building blocks of character education, however, it is not enough by itself.

> The creation of a situation and context in which students develop a thoughtfully reasoned belief in the legitimacy of our laws and justice system, and the belief that each student should obey those laws is LRE's contribution to character education and good citizenship. (Hunter, 1987, p. 62)

CONCLUSION

Social responsibility is the foundation of a just, peaceful, and united world. By encouraging students to develop a spirit of service to the world and a sense of responsibility to their own growth and to the welfare of the community, we lay a firm foundation for the development of a new world order.

The quality of social responsibility is manifested in several ways, such as: through one's behavior; the expression of one's attitudes, understanding and commitment to law, authority and democratic principles; demonstrated respect for others; and an awareness of what constitutes effective citizenship. Developing social responsibility is not something that just happens. It entails the development of basic skills, critical thinking, and valuing. By working through this process, students move away from positions of negative attitudes and counterproductive forms of behavior to those which are equated with good citizenship.

Rather than viewing law as only punitive, students may also come to view it as necessary, supportive, valuable, changeable and understandable. This may lead to a greater respect for law and rules which govern their daily lives. One possible result is a reduction in the violation of laws and rules. Inherent in this process is not only an increase in knowledge, understanding and awareness of law, but also a commitment to the principles that underlie law.

This learning process also applies to many other areas, such as: perceptions of powerlessness versus control in society; comprehending issues of right and wrong; perceiving the problematic nature of social issues; responsible decision making; making commitments and articulating reasons for those commitments; responsible conflict management; handling both legitimate and illegitimate authority in a critically responsible manner; developing a knowledge base about law, the legal system and related issues; developing empathy, social responsibility and consideration for others; and developing a level of maturity in order to deal with ethical and moral problems (Anderson, 1980). It is suggested that through the implementation of LRE programs, students' competencies, knowledge, skills and attitudes can lead to the appropriate learning outcomes necessary for their development into socially responsible citizens in our multicultural, global society.

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